

040504

13281 U.S. PAT. & TM. OFF.

MORGAN L. FITCH, JR.  
FRANCIS A. EVEN\*  
JULIUS TABIN  
JOHN F. FLANNERY  
ROBERT B. JONES  
JAMES J. SCHUMANN  
JAMES J. HAMILL  
TIMOTHY E. LEVSTIK  
JOSEPH E. SHIPLEY  
KENNETH H. SAMPLES  
PHILIP T. PETTI  
JOSEPH T. NABOR  
STEVEN C. SCHROER  
RICHARD A. KABA\*  
KARL R. FINK  
MARK W. HETZLER  
TIMOTHY P. MALONEY  
JAMES P. KRUEGER  
STEPHEN S. FAVAKEH  
RICHARD E. WAWRZYNIAK  
STEVEN G. PARMELEE  
THOMAS F. LEBENS  
BRUCE R. MANSFIELD  
KENDREW H. COLTON\*  
G. PAUL EDGELL\*  
MICHAEL A. SANZO\*  
SCOTT A. MENGHINI  
NORMAN N. KUNITZ\*  
RUDY KRATZ  
RAMON R. HOCH\*

# FITCH, EVEN, TABIN & FLANNERY

ATTORNEYS AND COUNSELLORS AT LAW

*Established in 1859*

SUITE 401L - 1801 K STREET, NW  
WASHINGTON, D.C. 20006-1201

TELEPHONE (202) 419-7000

FACSIMILE (202) 419-7007

## ILLINOIS OFFICE

SUITE 1600 - 120 SOUTH LA SALLE STREET, CHICAGO, ILLINOIS 60603-3406

TELEPHONE (312) 577-7000

## CALIFORNIA OFFICE

SUITE 250 - 9276 SCRANTON ROAD, SAN DIEGO, CA 92121-7708

TELEPHONE (619) 552-1311

## COLORADO OFFICE

SUITE 213 - 1942 BROADWAY, BOULDER, COLORADO 80302

TELEPHONE (303) 402-6966

April 5, 2004

EDWARD E. CLAIR  
JON A. BIRMINGHAM  
JOHN E. LYHUS  
STEVEN M. FREELAND  
DONNA E. BECKER  
MICHAEL G. VRANICAR  
BRIAN S. CLISE  
MARTIN R. BADER  
DEREK L. PRESTIN  
MARK A. BORSOS  
DAVID R. JAGLOWSKI  
TIMOTHY R. BAUMANN  
JEFFREY A. CHELSTROM  
NICHOLAS T. PETERS  
KENNETH A. PLOCHINSKI  
MEGAN J. REDMOND

## PATENT AGENTS

ERIC J. WHITESSELL  
LILIA I. SAFONOV

## OF COUNSEL

GEORGE W. SPELLMIRE, JR.  
LISA M. SOMMER  
GEORGE H. SPENCER, P.C.\*

## TECHNICAL ADVISOR

JOHN M. BRONK, Ph.D.

\*ADMITTED TO D.C. BAR; D.C. PRACTICE OF  
ALL OTHERS LIMITED TO FEDERAL COURTS  
AND AGENCIES

Commissioner of Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, **MS Patent Application**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Re: New U.S. Patent Application  
(Claiming Priority to German Appl. No. DE 103 16 109.0)  
Appl. No.: to be assigned  
Filed: herewith  
Title: **Process for the Production of  
L-Amino Acids Using Strains of the  
Enterobacteriaceae Family**  
Inventor(s): Rieping, *et al.*  
Atty. Dkt.: 7909/84003

Dear Sir:

The following documents are being forwarded for appropriate action by the U.S. Patent and Trademark Office:

1. U.S. Patent Application entitled:

**PROCESS FOR THE PRODUCTION OF  
L-AMINO ACIDS USING STRAINS OF THE  
ENTEROBACTERIACEAE FAMILY**

and naming as inventor(s): Mechthild Rieping  
Mike Farwick

the application comprising:

26 pages of Specification (numbered as pages 1-26);  
6 pages of Claims (numbered as pages 27-32);  
a one-page Abstract (numbered as page 33);  
2 sheet of formal Drawings (labeled as Fig. 1-Fig. 2); and  
9 pages of Sequence Listing (numbered separately as pages 1-9);

2. a 3.5 inch diskette containing a computer readable copy of the Sequence Listing;
3. Preliminary Amendment (3 pages);
4. Submission of Priority Document in Accordance with Requirements of Rule 55 with priority document attached;
5. General Authorization for Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(3);
6. General Authorization to Charge Deposit Account; and
7. Two (2) return postcards.

This application claims the benefit of German application no. DE 103 16 109.0, filed on April 9, 2003, the contents of which are hereby incorporated by reference.

In compliance with 37 C.F.R. § 1.821(f), Applicants' undersigned attorney hereby states that the content of the paper and computer readable copies of the Sequence Listing submitted herewith are the same.

A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) as incorporating such a petition is enclosed.



13281 U.S. PTO

Commissioner of Patents  
April 5, 2004  
Page 3

### Fee Calculation

Applicant(s) calculate the filing fee as follows:

	Total		No. Extra	Rate	Fee
Basic Filing Fee					770.00
Total Claims Fee	60	20=	40	\$ 18.00	720.00
Independent Claims Fee	3	3 =	0	\$ 86.00	0.00
Multiple Dependent Claims Fee				\$ 290.00	290.00
TOTAL FEES DUE					1,780.00

The application is being filed under 37 C.F.R. § 1.53 without the Declaration and without the filing fee.

It is respectfully requested that the enclosed postcards be stamped with the serial number and the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY

Michael A. Sanzo  
Reg. No. 36,912  
Attorney for Applicants

MAS:ct  
Enclosures

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Rieping, *et al.*

Appl. No.: to be assigned

Filed: herewith

For: **Process for the Production of  
L-Amino Acids Using Strains of the  
Enterobacteriaceae Family**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt.: 7909/84003

**General Authorization for Petition for  
Extension of Time Under 37 C.F.R. § 1.136(a)(3)**

Commissioner of Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, **MS Patent Application**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

Applicants hereby request under 37 C.F.R. §1.136(a)(3) by this general authorization that any concurrent or future reply submitted by Applicants to the United States Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under §1.136(a) for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicants do not timely pay for any extension fee(s) pursuant to 37 C.F.R. §1.136(a) which may become due for this application under 37 C.F.R. §1.17 by check, the Director is hereby authorized to charge such fee(s), and any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135 under Order No. 7909/84003.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By Michael A. Sanzo  
Michael A. Sanzo  
Reg. No. 36,912  
Attorney for Applicants

Date April 5, 2004  
1801 K Street, N.W., Suite 401L  
Washington, DC 20006-1201  
Phone: (202) 419-7013

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Rieping, *et al.*

Appl. No.: to be assigned

Filed: herewith

For: **Process for the Production of  
L-Amino Acids Using Strains of the  
Enterobacteriaceae Family**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt.: 7909/84003

**General Authorization to Charge Deposit Account**

Commissioner of Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, **MS Patent Application**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135 under Order No. 7909/84003.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By



Michael A. Sanzo

Reg. No. 36,912

Attorney for Applicants

Date April 5, 2004  
1801 K Street, N.W., Suite 401L  
Washington, DC 20006-1201  
Phone: (202) 419-7013